

REMARKS

Claims 23, 24, 26-31, 33 and 37-40 are pending in the application, and claims 35 and 41 have been cancelled in order to expedite consideration of the application.

The present amendment and Response comes after final and is believed to traverse the bases of rejection in the previous office action. In particular, claims 29-31, 33, 35 and 39-41 have been rejected under 35 U.S.C. 112, second paragraph. Claims 35 and 41 have been cancelled rendering the rejection moot as to those claims. Clarifying amendments have been made as to claims 29, 30 and 41 and they are believed now to overcome the section 112 rejection and be in condition for allowance.

Claims 30, 33, 35 and 37-39 have been rejected under 35 U.S.C. 102(b) as being anticipated by JP 56-22182. It is believed that now that the invention has been better clarified as noted above, that this basis of rejection is traversed.

For instance, JP 56-22182 does not teach or suggest a folding bicycle frame with a traditional type of arrangement – of either a triangular configuration of a top, bearing and down tube or a single frame tube plus bearing tube type of arrangement. Instead the central frame of the cited reference is a rectangle that goes behind the seat tube, and includes further central downtube within the generally rectangular frame. The pedal axle is in an awkward position at a middle of a downtube and spatially separated from the seat tube. Moreover, the downtube does not extend between the bearing tube and the seat tube. This is entirely inconsistent with the present invention. Moreover, although JP 56-22182 depicts a folding front wheel, there is no teaching or suggestion that it can fold adjacent the downtube but rather goes adjacent the generally rectangular frame.

Claims 23, 24, 26-29, 31, 40 and 41 have been rejected under 35 U.S.C. 103(a) as being unpatentable over JP 56-22182 in view of GB 526,773 to Marcellin (“Marcellin”). This rejection is respectfully traversed as follows.

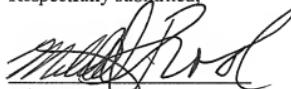
As noted above, JP 56-22182 does not teach or suggest the present invention and for all the reasons noted above, the rejection under section 103 is traversed. It also is respectfully submitted that Marcellin fails to make up for the deficiencies of JP 56-22182. Accordingly it is respectfully submitted that the rejections have been traversed.

Conclusion

It is believed that all objections and rejections in the application have been addressed and that the present application is in condition for allowance. A favorable reconsideration and allowance of the pending claims is solicited. If necessary, the Commissioner is hereby authorized in this and concurrent replies to charge payment (or credit any overpayment) to Deposit Account No. 50-2298 for any additional required fees.

Dated: December 1, 2010

Respectfully submitted,



Mitchell P. Brook
Reg. No. 32,967
Attorney for Applicant

LUCE, FORWARD, HAMILTON & SCRIPPS LLP
11988 El Camino Real, Suite 200
San Diego, California 92130
Tel.: (858) 720-6300
Fax : (858) 720-6306

101259810